IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition N0. 366 of 2005 (S/S)

Suresh Kumar
S/o Sri Alam Singh
R/o Village and Post Office Karwari
District Dehradun. ……Petitioner

Versus

1. State of Uttaranchal through the Secretary Forest Department, Govt. of Uttaranchal Dehradun.
2. Principal Chief Conservator of Forest Uttaranchal, Nainital, Campt at 85 Rajpur Road, Dehradun.
3. Chief Conservator of Forest Garhwal Region, 85 Rajpur Road Dehradun.
4. Conservator of Forest Shivalik Circle, 5 Tilak Road Dehradun.
5. Divisional Forest Officer Dehradun, Forest Division 5, Tilak Road, Dehradun.

……..Respondents

Shri P.C. Jhingan, learned counsel for the petitioner.
Shri N.P. Sah, learned Standing Counsel for the respondents.

Hon'ble Prafulla C. Pant, J.

Shri P.C. Jhingan, learned counsel for the petitioner is present. He states that he has no instructions from the petitioner.

3. The petitioner, a Plantation Chowkidar on daily wages with Forest Department, has sought his regularization in service. In view of the principle of law laid down in ***Secretary, State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases, Pg. 01***, wherein it has been held that the workers on daily wages or the persons who get employed without undergoing regular selection process,

should not be permitted to absorbed or regularised against the constitutional scheme of public employment, this Court is not inclined to issue direction to regularize service of the petitioner, as such, the petition is liable to be dismisses.

4. The writ petition is dismissed. Interim order, dated 07.04.2005. (All pending application also stand disposed of).

(Prafulla C. Pant, J.)

Dt. 18.11.2006
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